

BEFORE THE TENNESSEE REGULATORY AUTHORITY AT

NASHVILLE, TENNESSEE

August 22, 2002

IN RE:

PETITION OF WORLDCOM, INC. AND INTERMEDIA
COMMUNICATIONS, INC. FOR APPROVAL OF
CUSTOMER NOTICE LETTER PURSUANT TO TRA
RULE 1220-4-2-.56(2)(d)(2)

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) DOCKET NO.
) 02-00801
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ORDER APPROVING CUSTOMER NOTICE LETTER

This matter came before Chairman Sara Kyle, Director Deborah Taylor Tate, and Director Pat Miller of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at the regularly scheduled Authority Conference held on August 5, 2002 for consideration of the *Petition* filed by WorldCom, Inc. ("WorldCom") and Intermedia Communications, Inc. ("Intermedia") (collectively the "Petitioners") for approval of a customer notice letter pursuant to the provisions of Authority Rule 1220-4-2-.56(2)(d)(2).

Authority Rule 1220-4-2-.56(2)(d)(2)

Authority Rule 1220-4-2-.56(2)(d)(2) provides as follows:

(d) In the case of a transfer of a customer base between two or more telecommunications service providers, the Authority, upon petition by the acquiring telecommunications service provider, may deem that sufficient notice has been given and approval received from the affected customers when the following criteria are met:

...

2. A notification letter, pre-approved by the Authority, shall be mailed by U.S. First Class Postage by the telecommunications service provider being acquired to its customers describing the customer transfer and explaining that the customers' local or long distance service will be transferred

to the acquiring telecommunications service provider by a certain date unless the customer selects another telecommunications service provider. This customer notification shall be mailed to the customers no less than thirty (30) days prior to the actual customer transfer. The notification letter required by the FCC may be used for the notification purposes of this part. The Authority may waive the thirty (30) day notice requirement of this part for good cause shown.

The Petition

In their *Petition*, which was filed on July 19, 2002, the Petitioners state that WorldCom has determined that it is necessary to migrate certain customers of its subsidiary Intermedia to another WorldCom operating subsidiary, MCI WorldCom. The Petitioners seek approval of a customer letter, a copy of which is attached to the *Petition*, to be sent in connection with this intra-corporate customer transfer. The *Petition* states that approximately 356 subscribers in Tennessee, who receive dedicated long distance, ISP-PRI, private line, Intermedia One, and certain ATM and Frame Relay services, will be affected by this transition.

The Petitioners' proposed customer notice letter, attached to the *Petition*, is on WorldCom letterhead. However, the *Petition* states:

In order to assuage Authority concerns that the notice may be treated as junk mail by the customer and to ensure the notice receives the proper attention by the affected customer, WorldCom intends to send the notice in an envelope that reads "IMPORTANT INFORMATION ABOUT YOUR INTERMEDIA ACCOUNT."¹

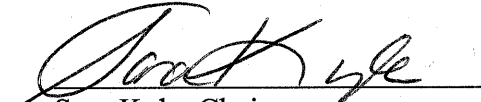
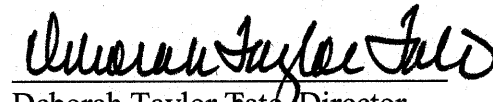
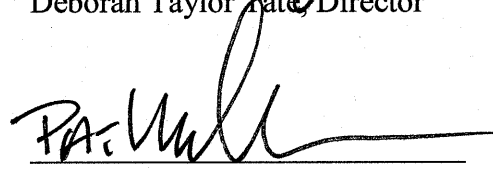
According to the *Petition*, WorldCom plans to send the proposed notice to customers on July 31, 2002, and the migration of customers to MCI WorldCom is expected to take place on or after September 13, 2002.

At the July 23, 2002 Authority Conference, the Directors voted unanimously to approve the customer transfer letter filed as an amendment to the *Petition* on July 19, 2002.

¹ *Petition*, July 19, 2002, p. 4.

IT IS THEREFORE ORDERED THAT:

The customer notice letter proposed by WorldCom, Inc. and Intermedia Communications, Inc. is approved.


Sara Kyle, Chairman
Deborah Taylor Tate, Director
Pat Miller, Director